

73. MISCELLANEOUS STREET AND SIDEWALK REGULATIONS

73.01. Excavations. No person shall make any opening or excavation in or under any public street, sidewalk or alley within the city, without first obtaining a permit from the city engineer. In granting any such permit the city engineer shall specify the conditions to be complied with in connection with the opening or excavation.

73.02. Removals. No person shall remove any sand, gravel or earth from any street, sidewalk or alley in the city.

73.03. Certain Animals on Sidewalks. No person shall drive or lead any team, horse, ox or mule along or across any of the city sidewalks, nor stop any such animals upon any crosswalk within the city.

73.04 Subd. 1. Definitions.

a. "Obstructing or partially obstructing pedestrian or vehicular traffic" means to walk, stand, sit, lie or place an object in such a manner as to block passage by another person or a vehicle or to require another person or a driver of a vehicle to take evasive action in order to avoid physical contact. In addition, in order to be "obstructing", a person must fail move out of the way after being asked to do so by a law enforcement officer.

b. "Public thoroughfare" includes sidewalks, bike paths, streets, roads, alleys, highways and specifically includes areas along sidewalks which furnish ingress and egress to business establishments.

Subd. 2. Prohibited Acts. A person is guilty of pedestrian interference if that person intentionally obstructs or partially obstructs pedestrian or vehicular traffic along a public thoroughfare.

73.05. Beer or Liquor on Sidewalks. No person shall place on the sidewalk or in the street in front of any store building any beer keg, liquor barrel or case for holding beer in bottles or cans.

73.06. Sliding on Sidewalks. No person shall slide or coast on any sled or sleigh upon any sidewalk in the city.

73.07. Signs on Sidewalks. No person shall paint or stencil or cause to be painted or stencilled on any sidewalk in the city any signs or advertising devices. No person shall fasten, or cause to be fastened, upon the sidewalk or lamp post any signs or advertising devices.

73.071. Painting Curbs. No person shall paint or stencil on any curb located in a public right-of-way in the city except for authorized public utility purposes only.

73.08. Sidewalk Sales. No person shall exhibit or demonstrate any goods, wares or merchandise upon any public street or sidewalk without a permit from the council to do so.

73.09. Barricades. No person shall tamper with, remove, knock down, ride through or otherwise interfere with any warning barrier or barricade maintained in any street, sidewalk or public ground. This section applies to barricades maintained by the city, and also to those maintained by any contractor engaged in doing work in the city.

73.10 Skateboards Prohibited. Subdivision 1. For the purposes of this section, the following terms shall have the meanings ascribed herein:

(a) "central business district" means the area of the City bounded by the following line: commencing at the center of the 4th Street bridge over Bear Creek, thence northerly along the centerline of Bear Creek to the center of the intersection of the Zumbro River, thence northerly along the centerline of the Zumbro River to Second Street Northeast; thence westerly along the centerline of Second Street to its intersection with Fourth Avenue Northwest; thence southerly along the centerline of Fourth Avenue to its intersection with Sixth Street Southwest; thence easterly along the centerline (and continuation thereof) to the centerline of the Zumbro River; thence northerly to the center of the Fourth Street bridge over the Zumbro River; thence easterly along the centerline of Fourth Street Southeast to the point of beginning.

(b) "rollerskates" means a shoe with wheels attached or a device with wheels which is designed to be attached to a shoe.

(c). "skateboard" means a wheeled device designed to transport a rider in a standing position, which device is not otherwise secured to a rider's feet or shoes.

Subd. 2. No person shall use a skateboard, rollerblades or rollerskates on any public sidewalk, or in the Peace Plaza, or any public parking lot, or in any public or private structure located in the central business district. Nothing in this section shall prohibit the use of skateboards, rollerblades or rollerskates on the bike paths along the Zumbro River. Nothing in this section shall prohibit the use of skateboards, rollerblades or rollerskates on any public property as part of a demonstration or exhibition activity authorized by the Common Council.

Subd. 3. Nothing contained in this ordinance shall be deemed to prohibit the use by a disabled person of a wheelchair or other wheeled device designed to assist the ambulatory disabled on the sidewalks, public parking lots, or public or private parking structures in the central business district. Nothing contained in this ordinance shall be deemed to prohibit the use of skateboards, rollerblades or rollerskates on the bicycle paths along the Zumbro River.

Subd. 4. The first and second violation of this ordinance shall be a petty misdemeanor. Any subsequent violations of this ordinance shall be a misdemeanor.

73.11. Signs on Public Property. Subdivision 1. No person shall paint, mark or write on, post, or otherwise affix any handbill, sign, advertisement or flyer to or upon any public property. For purposes of this section, "public property" shall mean any sidewalk; crosswalk; curb; parking meter; street lamppost; hydrant; tree; shrub; tree stake or guard; electric light, power or telecommunications pole or wire appurtenance; utility structure; street sign; or traffic sign that is located within a public utility easement or public right-of-way.

Subd. 2. Any handbill or sign found posted or otherwise affixed

upon any public property contrary to the provisions of this section may be removed by the police department, the department of public works, the public utility department or any other person. The person responsible for any such illegal posting shall be liable for the cost incurred in its removal and the city clerk is authorized to collect the cost.

Subd. 3. This section does not apply to any marking on or posting of a handbill, sign or flyer to public property authorized by a revocable permit issued by the Council so long as the permittee complies with the conditions of the permit. The Council may issue a revocable permit to a city-sponsored or non-profit organization wishing to:

- (A) Advertise an event sponsored by the city-sponsored or non-profit organization;
- (B) Advertise a fundraising activity for a city-sponsored or non-profit organization; or
- (C) Recognize a special day, week or month.

Subd. 4. This section does not apply to any marking on or posting of a handbill, sign or flyer to public property authorized by the City as part of the normal use or operation of that public property item or for any other municipal government purpose.

Subd. 5. Any person who violates this Section is guilty of a misdemeanor.

(1, 10/6/1858; 15, 8/16/1862; 54, 12/6/1873; 108, 10/17/1890; 280, 6/8/1920; 284, 11/3/1920; 379, 11/9/1927; 2508, 5/20/86; 2829, 7/7/92; 2829, 7/6/92; 2879, 6/22/93; 3085, 4/8/97; 3275, 10/5/99; 3486, 6/3/02; 3562, 5/5/03)